



Shirley S. Abrahamson
Chief Justice

Supreme Court of Wisconsin

OFFICE OF THE CLERK

110 E. MAIN STREET, SUITE 215

P.O. BOX 1688

MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880

TTY Users: Call WI TRS at 1-800-947-3529; request (608) 266-1880

Fax (608) 267-0640

Web Site: www.wicourts.gov

A. John Voelker
Director of State Courts

David R. Schanker
Clerk of Supreme Court

WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

JUNE 2008

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of June 2008 and to date for the term that began on September 1, 2007.

Opinions Issued by the Court

The Supreme Court issued opinions resolving 24 cases in June. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>June 2008</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>24</u>	<u>73</u>
Attorney/Judicial disciplinary cases	2	26
Civil cases	12	30
Criminal cases	10	17

Petitions for Review

A total of 57 petitions for review were filed during the month. A petition for review asks the Supreme Court to review the decision of the Court of Appeals. The Supreme Court's jurisdiction is discretionary, meaning that review is granted in selected cases only. In June, the Supreme Court disposed of 76 petitions for review, of which 8 petitions were granted. The Supreme Court currently has 171 petitions for review pending.

	<u>June 2008</u>	<u>Term to Date</u>
Petitions for Review filed	<u>57</u>	<u>683</u>
Civil cases	38	398
Criminal cases	19	285

Petition for Review dispositions	<u>76</u>	<u>690</u>
Civil cases (petitions granted).....	32 (4)	386 (40)
Criminal cases (petitions granted)	44 (4)	304 (22)

Petitions for Bypass

The Supreme Court received 1 petition for bypass and disposed of no petitions for bypass this month. In a petition for bypass, a party requests that the Supreme Court take jurisdiction of an appeal or other proceeding pending in the Court of Appeals. A matter appropriate for bypass is usually one which meets one or more of the criteria for review by the Supreme Court and one the Supreme Court concludes it will ultimately choose to consider regardless of how the Court of Appeals might decide the issues. A petition for bypass may also be granted where there is a clear need to hasten the ultimate appellate decision. The Supreme Court currently has 3 petitions for bypass pending.

	<u>June 2008</u>	<u>Term to Date</u>
Petitions for Bypass filed	<u>1</u>	<u>10</u>
Civil cases	1	7
Criminal cases	0	3
Petition for Bypass dispositions.....	<u>0</u>	<u>9</u>
Civil cases (petitions granted).....	0 (0)	6 (0)
Criminal cases (petitions granted)	0 (0)	3 (0)

Requests for Certification

During June 2008, the Supreme Court received 4 requests for certification and disposed of no requests for certification. In a request for certification, the Court of Appeals asks the Supreme Court to exercise its appellate jurisdiction before the Court of Appeals hears the matter. A request for certification is decided on the basis of the same criteria as a petition to bypass. The Supreme Court currently has 6 requests for certification pending.

	<u>June 2008</u>	<u>Term to Date</u>
Requests for Certification filed	<u>4</u>	<u>13</u>
Civil cases	3	7
Criminal cases	1	6
Request for Certification dispositions.....	<u>0</u>	<u>18</u>
Civil cases (requests granted)	0 (0)	9 (3)
Criminal cases (requests granted)	0 (0)	9 (6)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 4 matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed (including 1 reopened case). The Supreme Court also received 5 petitions for supervisory writ, which ask the Supreme Court to order the Court of Appeals or a circuit court to take a certain action in a case. No original actions were filed. An original action is a petition asking the Supreme Court to take jurisdiction over a particular matter. When an opinion is issued in these cases, the disposition is included in “Opinions Issued by the Court” above; otherwise, the case is disposed of by order and is included in the totals below. The Supreme Court currently has 44 regulatory matters and 14 petitions for supervisory writ pending.

	<u>June 2008</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney/Judicial disciplinary and bar admission.....	4	63
Petitions for Supervisory Writ	5	46
Other (including Original Actions).....	0	2
<u>Dispositions by Order</u>		
Attorney/Judicial disciplinary and bar admission.....	3	16
Petitions for Supervisory Writ	5	34
Other (including Original Actions).....	1	14

**DECISIONS BY THE
WISCONSIN SUPREME COURT**

OPINIONS ISSUED DURING JUNE 2008

ATTORNEY DISCIPLINE CASES

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2007AP001004-D	OLR v. Jones 4 Month Suspension Per Curiam ¹ Butler, Jr., J. did not participate.	06/03/2008
2006AP000578-D	OLR v. Washington Reinstatement Granted Upon Conditions Per Curiam Butler, Jr., J. did not participate.	06/20/2008

CIVIL AND CRIMINAL CASES

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2004AP001104-CR	State v. Keyes Court of Appeals Affirmed <u>Majority Opinion:</u> Bradley, J.	06/03/2008
2004AP001105-CR	State v. Keyes Court of Appeals Affirmed <u>Majority Opinion:</u> Bradley, J.	06/03/2008
2005AP002796	Richards v. Badger Mutual Insurance Court of Appeals Affirmed <u>Majority Opinion:</u> Roggensack, J. <u>Dissent:</u> Abrahamson, C.J., joined by Bradley, J. and Butler, J.	06/03/2008
2006AP001114-CR	State v. Popenhagen Reversed and Remanded <u>Majority Opinion:</u> Abrahamson, C.J. <u>Concurrence:</u> Prosser, J.	06/04/2008

¹ “Per Curiam” means “by the Court.” Opinions issued *per curiam* are handed down by the Court as a whole.

	<u>Concurrence/Dissent:</u> Ziegler, J. <u>Dissent:</u> Roggensack, J.	
2006AP000396	Donohoo v. Action Wisconsin Court of Appeals Reversed <u>Majority Opinion:</u> Bradley, J. <u>Dissent:</u> Roggensack, J., joined by Prosser, J. and Ziegler, J.	06/05/2008
2005AP002175-CR	State v. Duchow Court of Appeals Reversed <u>Majority Opinion:</u> Roggensack, J.	06/10/2008
2005AP002311-CR	State v. Plude Court of Appeals Reversed and Remanded <u>Majority Opinion:</u> Roggensack, J. <u>Concurrence:</u> Butler, Jr., J. <u>Concurrence:</u> Ziegler, J.	06/10/2008
2006AP00672-CR	State v. LaCount Court of Appeals Affirmed <u>Majority Opinion:</u> Crooks, J. <u>Concurrence:</u> Bradley, J., joined by Abrahamson, C.J. and Butler, Jr., J. <u>Concurrence:</u> Roggensack, J., joined by Butler, Jr., J.	06/10/2008
2006AP001847-CR	State v. Jorgensen Court of Appeals Reversed and Remanded <u>Majority Opinion:</u> Ziegler, J. <u>Concurrence:</u> Abrahamson, C.J., joined by Bradley, J. and Butler, Jr., J.	06/13/2008
2006AP000424	Diana G. Sanders v. Estate of David R. Sanders Court of Appeals Reversed and Remanded <u>Majority Opinion:</u> Crooks, J. Prosser, J. and Roggensack, J. did not participate.	06/18/2008
2006AP001153	Acuity v. Kishan Bagadia Court of Appeals Affirmed <u>Majority Opinion:</u> Roggensack, J.	06/18/2008

2006AP001974	Acuity v. Kishan Bagadia Court of Appeals Affirmed <u>Majority Opinion:</u> Roggensack, J.	06/18/2008
2006AP000064-CR	State v. David G. Straszkowski Court of Appeals Affirmed <u>Majority Opinion:</u> Abrahamson, C.J. <u>Concurrence:</u> Butler, Jr., J., joined by Ziegler, J.	06/19/2008
2007AP000230-W	Adrian T. Hipp v. Circuit Court for Milwaukee County Court of Appeals Affirmed <u>Majority Opinion:</u> Bradley, J. <u>Concurrence:</u> Butler, Jr., J. Abrahamson, C.J. did not participate.	06/20/2008
2005AP001473	WIREData, Inc. v. Village of Sussex Court of Appeals Reversed in part, Affirmed in part, and Remanded <u>Majority Opinion:</u> Crooks, J. <u>Concurrence:</u> Abrahamson, C.J. Butler, Jr., J. did not participate.	06/25/2008
2005AP00174	WIREData, Inc. v. Village of Thiensville Court of Appeals Reversed in part, Affirmed in part, and Remanded <u>Majority Opinion:</u> Crooks, J. <u>Concurrence:</u> Abrahamson, C.J. Butler, Jr., J. did not participate.	06/25/2008
2005AP00175	WIREData, Inc. v. Village of Port Washington Court of Appeals Reversed in part, Affirmed in part, and Remanded <u>Majority Opinion:</u> Crooks, J. <u>Concurrence:</u> Abrahamson, C.J. Butler, Jr., J. did not participate.	06/25/2008
2006AP002292	C. Coakley Relocation Systems v. City of Milwaukee Court of Appeals Affirmed <u>Majority Opinion:</u> Ziegler, J. <u>Concurrence:</u> Roggensack, J.	06/25/2008

2006AP000964	Racine County v. Int'l Assoc. of Machinists and Aerospace Workers Court of Appeals Reversed and Remanded <u>Majority Opinion</u> : Crooks, J. <u>Dissent</u> : Bradley, J., joined by Abrahamson, C.J. and Butler, Jr., J.	06/26/2008
2006AP001379-CR	State v. Bruce Duncan MacArthur Circuit court Affirmed and Cause Remanded <u>Majority Opinion</u> : Ziegler, J. <u>Concurrence</u> : Bradley, J. Prosser, J. did not participate.	06/26/2008
2006AP001954-CR	State v. Keith A. Davis Circuit court Affirmed <u>Majority Opinion</u> : Ziegler, J. <u>Dissent</u> : Bradley, J., joined by Abrahamson, C.J.	06/26/2008
2006AP000813	Ramachandra Rao, M.D. v. WMA Securities, Inc. Court of Appeals Affirmed <u>Majority Opinion</u> : Abrahamson, C.J. <u>Concurrence</u> : Ziegler, J. <u>Dissent</u> : Prosser, J., joined by Roggensack, J.	06/27/2008